

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-20129

SCOTT WILLIAM SUTHERLAND et al.

Defendants.

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-20066

JEFF GARVIN SMITH et al.,

Defendants.

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**ORDER ADJOURNING TRIAL AND SETTING ADDITIONAL DEADLINES**

Over the past several weeks, the court has conducted a series of off-the-record status conferences addressing the timing of the upcoming trial for Trial Group 1 Defendants in the above-captioned cases. Specifically, counsel for the Government, as well as counsel for every Defendant in Trial Group 1, have indicated that additional time is needed to adequately prepare for trial, primarily due to the logistics of the Government's turning over of additional discovery and Jencks Act materials. While the majority of defense counsel requested six to eight weeks of additional time, through the diligence of all attorneys in coordinating and facilitating efficient discovery procedures, the parties are now in a position to be ready for trial after only a four-week delay. On

July 9, 2014, the court conducted a final status conference to discuss the steps needed to meet a September trial date. The Government agreed, with the help of the discovery coordinator Emma Greenwood, to distribute Jencks Act materials, as well as additional discovery material, on iPads by **August 29, 2014.**<sup>1</sup> This will allow Defendants approximately four weeks to review the additional material on the iPads to assist in their defense. Accordingly,

IT IS ORDERED that trial for Trial Group 1 Defendants is ADJOURNED. Jury selection will commence on **September 29, 2014 at 9:00 a.m.**

IT IS FURTHER ORDERED that, in light of the briefing extensions granted to the parties, the motion hearing scheduled for July 16, 2014 is ADJOURNED until **August 5, 2014 at 2:00 p.m.**

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: July 10, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 10, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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<sup>1</sup>Much of this material has already been provided to defense counsel on electronic format, subject to the terms of the protective order. Defense counsel are currently in negotiations with the Government to modify the protective order to allow the individual Defendants to review portions of the material, with counsel, in advance of receiving the updated iPads. The court leaves these negotiations to the parties.